

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

JAISON CIANELLI,

Plaintiff,

-against-

NOURISON INDUSTRIES, INC., BED
BATH & BEYOND INC., HOME DEPOT
U.S.A., INC., KOHL'S CORPORATION,
WALMART INC. and QVC, INC.,

Defendants.

Civil Action No.:

3:19-cv-19147-FLW-ZNQ

ECF CASE

**NOTICE OF MOTION TO STRIKE AND/OR DISMISS
PLAINTIFF'S AMENDED COMPLAINT ON BEHALF OF
NOURISON INDUSTRIES, INC., BED BATH & BEYOND INC., HOME
DEPOT U.S.A., INC., KOHL'S CORPORATION, AND WALMART INC.**

PLEASE TAKE NOTICE that on February 26, 2020, or as soon thereafter as counsel may be heard, Defendants Nourison Industries Inc., Bed Bath & Beyond Inc., Home Depot U.S.A., Inc., Kohl's Corporation, and Walmart Inc. (the "Defendants"), by and through their counsel, Leason Ellis LLP, will move before the United States District Court for the District of New Jersey pursuant to Local Civil Rule 15.1 and Fed. R. Civ. P. 12 & 15, for an Order granting their motion to strike and/or dismiss Plaintiff Jaison Cianelli's Amended Complaint (dkt. 29) in

the above-captioned action, and for such other and further relief as may be just and proper.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendants submit the accompanying Memorandum of Law in Support of their Motion to Strike and/or Dismiss Plaintiff's Amended Complaint and proposed order.

Dated: February 26, 2020
White Plains, New York

Respectfully submitted,

/s/ Henry Gabathuler

Yuval Marcus (*pro hac vice pending*)

Henry A. Gabathuler (HG 6543)

NJ Bar I.D. No. 037802007

LEASON ELLIS LLP

One Barker Avenue, Fifth Floor

White Plains, New York 10601

Phone: (914) 288-0022

Fax: (914) 288-0023

Email: marcus@leasonellis.com

Email: gabathuler@leasonellis.com

*Attorney for Defendants Nourison
Industries, Inc., Bed Bath & Beyond Inc.,
Home Depot U.S.A., Inc., Kohl's
Corporation, and Walmart Inc.*